

\*Form PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

5470-373

U.S. APPLICATION NO.: (If known, see 37 CFR 1.5)

10/520,778

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371INTERNATIONAL APPLICATION NO.  
PCT/US03/20491INTERNATIONAL FILING DATE  
06/30/2003PRIORITY DATE CLAIMED  
07/10/2002

TITLE OF INVENTION

NOVEL RHO INHIBITORS

APPLICANT(S) FOR DO/EO/US

Harold L. Kohn; Thomas P. Weber; William R. Widger

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☐ Amendments to the claims of the International Application Under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report Under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 21 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ An Application Data Sheet under 37 CFR 1.76.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
19. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
20. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)
21. ☒ Other items or information: **Petition and Fee for Extension of Time**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/520,778		INTERNATIONAL APPLICATION NO. PCT/US03/20491		ATTORNEY DOCKET NO. 5470-373	
21. The following fees are submitted: (a) Basic national fee... (due for all applications) <span style="float:right">\$300.00</span> (b) Search Fee paid to USPTO as ISA and all claims satisfied provisions of PCT Article 33(1)-(4) <span style="float:right">\$0</span> Examination Fee <span style="float:right">\$0</span> (c) Search Fee paid to USPTO as ISA but all claims did not satisfy provisions of PCT Article 33 (1)-(4) <span style="float:right">\$100.00</span> Examination Fee <span style="float:right">\$200.00</span> (d) ISR not prepared by USPTO as ISA but provided or previously communicated to the USPTO by the IB Search Fee <span style="float:right">\$400.00</span> Examination Fee <span style="float:right">\$200.00</span> (e) All other applications: Search fee <span style="float:right">\$500.00</span> Examination fee <span style="float:right">\$200.00</span> <div style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS = \$</b></div>				CALCULATIONS	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100+	-/50+		X \$250.00		\$
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$130.00
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims		- 20 =		x \$ 50.00	\$
Independent Claims		- 3 =		x \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$130.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2					\$
<b>SUBTOTAL =</b>					<b>\$130.00</b>
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
<b>TOTAL NATIONAL FEE =</b>					<b>\$</b>
Fee for Recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					\$40.00
<b>TOTAL FEES ENCLOSED =</b>					<b>\$170.00</b>
					Amount to be refunded: \$
					charged: \$


- a. ☒ A check in the amount of \$620.00 to cover the above fees and the extension of time fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0220. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.
- NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

11/04/2005 ATRANI 00000038 10520770

01 FC:1617 130.00 0P

SEND ALL CORRESPONDENCE TO:

Myers Bigel Sibley & Sajovec, P.A.  
 P. O. Box 37428  
 Raleigh, North Carolina 27627  
 Telephone: (919) 854-1400  
 Facsimile: (919) 854-1401  
 Customer No. 20792

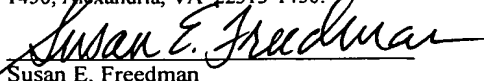
  
 Shawna Cannon Lemon

Date: October 31, 2005

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 674756589 US  
 Date of Deposit: October 31, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450.

  
 Susan E. Freedman

RAM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

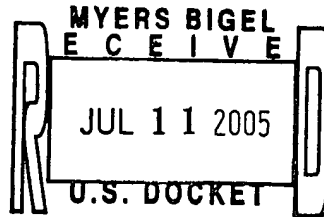
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,778	Harold Kohn	5470.373

INTERNATIONAL APPLICATION NO.
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PCT/US03/20491

I.A. FILING DATE	PRIORITY DATE
06/30/2003	07/10/2002

20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
 RALEIGH, NC 27627



CONFIRMATION NO. 2422

371 FORMALITIES LETTER



\*OC000000016404475\*

Date Mailed: 07/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/07/2005
- Copy of the International Search Report filed on 01/07/2005
- Copy of IPE Report filed on 01/07/2005
- Preliminary Amendments filed on 01/07/2005
- U.S. Basic National Fees filed on 01/07/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,778	PCT/US03/20491	5470.373

FORM PCT/DO/EO/905 (371 Formalities Notice)